

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>WALTER P. DRAKE,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	<b>Case No. 3:09-0929</b>
<b>v.</b>	)	<b>(Crim. Case No. 3:05-00209)</b>
	)	<b>Judge Echols</b>
<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Respondent.</b>	)	

**ORDER**

For the reasons set forth in the Memorandum issued contemporaneously herewith, Petitioner Walter P. Drake's "Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by Person in Federal Custody" (Docket Entry No. 1) is hereby DENIED. This case is hereby DISMISSED WITH PREJUDICE.

Further, because Petitioner cannot demonstrate that reasonable jurists would find the Court's assessment of Petitioner's ineffective assistance of counsel claims debatable or wrong, a Certificate of Appealability will not issue. See Slack v. McDaniel, 529 U.S. 473, 483-84 (2000).

It is so ORDERED.

  
ROBERT L. ECHOLS  
UNITED STATES DISTRICT JUDGE